

10th of February, 1847, reinforcing the instructions given by Lord Stanley, conveyed his approval of the steps Governor Grey had taken, including the issue of the notice to send in claims within a prescribed period, on pain of the exclusion of them; declared Governor Fitzroy's proclamation to have been "plainly in excess of his authority;" that "the arrangement was most impolitic; but that the faith of the crown must be kept with purchasers so far as it was pledged;" that the claimants' title "resting only on strict and positive right," and "having no support from justice, equity, or public policy," Crown grants were to be given to "those only who could prove, in the strictest manner, that they had completely and literally satisfied the requisition of the proclamations in every particular they contain." He further directs that claimants must be called upon to prove to the satisfaction of the Attorney General that the "native claimants were sole and true owners of the land they undertook to sell," the Attorney-General to certify the same: and lastly, that the grant must, if issued, expressly declare that "it barred only Her Majesty's own right, and only transferred any right previously existing in her."

5. *Sir George Grey's Consequent Proceedings.*

After receipt of this despatch, Sir George Grey published notices, dated 10th August, 1847, laying down three modes of procedure as open to claimants; viz.—

1. To abide by terms of Lord Grey's despatch.
2. To take compensation under Ordinance 7, No. 22.
3. To avail themselves of new conditions then published, viz.—

Claimants under ten shillings proclamation to have absolute grants on payment of remaining fees,

Under the penny proclamation, to have grants for land up to 500 acres, on payment of 5s. per acre. If above 500, same power of purchase to that amount; surplus to vest in the Crown; This only within 20 miles of Auckland. Lands undisputed by natives alone to be affected by this arrangement.

6. *Results of the above measures.*

The effect of these arrangements may be thus briefly stated:—

Ten Shilling Claims.—The greatest part of claims under the first proclamation may be considered as disposed of. For out of 61 original claims,—

49 have been settled by issue of grants by Sir George Grey under the above terms.

9 were disallowed for non-payment of fees on certificate of waiver of pre-emption, which therefore could never have been issued; the land affected is about 280 acres in the aggregate.

2, of patches, not an acre together, were disallowed, on account of plans not having been sent in.

The only dispute existing about these claims is as to the right of reserving lines of road through the lands.

Penny an Acre Claims.—The preserving and exterminating processes had the following effects respectively on these claims:

There were 189 original claims, affecting about 90,000 acres.

53 have been settled by issue of grants by Sir George Grey, under the 5s. per acre payment.

21 have been resigned, on receipt of compensation, or debentures, or money.

80 were disallowed, for non-compliance with the requisitions of 15th June, 1846, for sending in plans and surveys.

28 were disallowed, because certificates that the Fitzroy proclamation had been complied with were refused by the Attorney-General. The particulars of non-compliance are not given in any case in the Attorney-General's reports of the fact.

7 were disallowed or abandoned. Reasons not given.

It will thus be seen that the cause of the disallowance of the greater part of these claims was the failure to send in plans of the lands claimed by the 15th September, 1846. Numbers were sent in on the last day; those offered afterwards were invariably refused. Some of the lands comprised in disallowed claims have been resumed and resold by Government, and some are included in the reserves for the Pensioner Settlements.